

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WILLIAM C. FLOYD JR.,

Petitioner,

vs.

SCOTT FRAKES, Director of the
Nebraska Department of Correctional
Services; and BRAD HANSEN, Warden
Tecumseh State Correctional Institution;

Respondents.

8:13CV195

**MEMORANDUM
AND ORDER**

This matter is before the court on Petitioner William C. Floyd Jr.'s ("Petitioner" or "Floyd") Motion to File Amended Brief. ([Filing No. 189.](#)) Floyd states he rushed to mail a copy of his brief to the court without making a copy for himself.¹ After sending his brief, Floyd states that on April 8, 2019, he received the court's April 4, 2019 Memorandum and Order giving Floyd until April 22, 2019, to submit his brief. (See [Filing No. 185.](#)) Floyd states he is still preparing an exhibit list and needs a copy of his brief to finish it.

Pursuant to [28 U.S.C. § 2250](#),

If on any application for a writ of habeas corpus an order has been made permitting the petitioner to prosecute the application in forma pauperis, the clerk of any court of the United States shall furnish to the petitioner without cost certified copies of such documents or parts of the record on file in his office as may be required by order of the judge before whom the application is pending.

Floyd has been permitted to proceed in forma pauperis in this action. ([Filing No. 5.](#)) Accordingly, the court will grant Floyd's request to provide him a copy of his

¹ The court received Floyd's brief on April 11, 2019. (Filing Nos. [186](#) & [187.](#))

brief (filing nos. [186](#) & [187](#).) However, as the court stated in its April 4, 2019 Memorandum and Order, no further extensions will be granted to Floyd beyond April 22, 2019. The court has already set a deadline for Respondents to file a reply brief based on Floyd's April 11, 2019 filing of his brief. (See [Filing No. 188](#).) Due to the delay in Floyd's receipt of the April 4, 2019 Memorandum and Order, the court is willing to give Floyd until April 22, 2019 to submit additional briefing and/or his exhibit list, but no longer. If Floyd is able to submit additional briefing by April 22, 2019, the court will adjust the Respondents' reply brief deadline accordingly.

IT IS THEREFORE ORDERED that:

1. Floyd's Motion to File Amended Brief ([filing no. 189](#)) is granted to the extent that the court will direct the clerk to provide Floyd with a copy of his brief. The deadline for Floyd to submit any additional briefing remains **April 22, 2019**.
2. In the event Floyd submits additional briefing by April 22, 2019, the court will adjust the Respondents' reply brief deadline accordingly.
3. The clerk of the court is directed to send to Floyd a copy of filing nos. [186](#) and [187](#).

Dated this 18th day of April, 2019.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge